

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

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United States Courts
Southern District of Texas
FILED

April 29, 2019

April 29, 2019

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 18-20823 USA v. Jason Gandy
USDC No. 4:12-CR-503-1

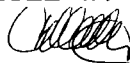
David J. Bradley, Clerk of Court

The court has considered the motion of United States of America, Jason Daniel Gandy to view non-public and/or sealed material in the record on appeal, specifically documents 213, 214 and 215 as requested. Unless the court granted access to one or more specific documents ONLY, it is ordered, counsel for United States of America, Jason Daniel Gandy may obtain all ex parte documents *filed on behalf of* United States of America, Jason Daniel Gandy, and all other non ex parte documents in the record. The non-public and/or sealed materials from the record are for your review ONLY. The integrity of the sealed documents is your responsibility, and if provided in original paper, return to the district court as soon as it has served your purpose.

The court has granted the motion to supplement or correct the record in this case. The originating court is requested to provide us with a supplemental electronic record consisting of the documents outlined in the attached motion. Counsel is reminded that any citations to these documents must cite to the supplemental electronic record.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Casey A. Sullivan, Deputy Clerk
504-310-7642

Mr. David J. Bradley
Mr. Seth Kretzer
Ms. Carmen Castillo Mitchell

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 18-20823

UNITED STATES OF AMERICA,
Plaintiff - Appellee
v.

JASON GANDY,

Defendant – Appellant,

Appeal from the United States District Court for the
Southern District of Texas
4:12-cr-00503

United States Courts
Southern District of Texas
FILED

April 29, 2019

David J. Bradley, Clerk of Court

**JOINT MOTION TO SUPPLEMENT RECORD ON APPEAL
AND TO ALLOW THE PARTIES TO VIEW SEALED EXHIBITS**

TO THE HONORABLE CHIEF JUDGE AND JUDGES OF THE UNITED STATES
COURT OF APPEALS FOR THE FIFTH CIRCUIT:

Come now SETH H. KRETZER, Counsel for Appellant Gandy, and the United States of America, through the undersigned Assistant United States Attorney, and file this joint motion to supplement the record on appeal and to allow the parties to view certain documents filed under seal.

Both parties respectfully request that this Court supplement the record on appeal to include the exhibits admitted at trial, which were not docketed in the court below until after the electronic record on appeal was compiled. The exhibits appear as docket entries 213, 214, and 215 on the district court docket.

Furthermore, the parties respectfully request to the extent any of exhibits were filed under seal in the district court, that they remain under seal in this Court, but that the parties be allowed to view them for purposes of this appeal.

Respectfully submitted,

/s/ Seth Kretzer

Seth Kretzer

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/s/ Jason Smith
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ATTORNEYS FOR APPELLEE UNITED STATES
OF AMERICA

CERTIFICATE OF CONFERENCE

This is a joint motion.

/s/ Seth Kretzer

Seth Kretzer

CERTIFICATE OF COMPLIANCE

This is to certify that this motion contains 155 words. *See* Rule 27(d)(2)(a).

/s/ Seth Kretzer

Seth Kretzer

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Motion was forwarded to all counsel of record on April 26, 2019 through the ECF system.

/s/ Seth Kretzer

Seth Kretzer